

**WEATHERLY BOROUGH COUNCIL**  
**REGULAR MEETING**  
**August 23, 2021**  
**4:00 P.M.**

***UNAPPROVED***

The Regular Meeting of Weatherly Borough Council was held on August 23, 2021, at 4:00 p.m. in the Municipal Building.

Mayor Paul Hadzick called the meeting to order.

Pledge of Allegiance and Invocation by Theresa D'Andrea.

Council Members attending: Joseph Cyburt, Theresa D'Andrea, Harold Farrow, Jeffery Miller, Joseph Thomas, Paul J. Hadzick and absent: Norman Richie.

Also attending: Borough Manager, Harold Pudliner; Borough Solicitor, James Nanovic; Borough Secretary, Lori O'Donnell; Police Chief Brian Markovchick; Journal Newspapers reporter, Paul O'Sullivan; Standard Speaker reporter, Jill Whalen; Edward Moyer (Live Streaming to Facebook) and citizens: Daniel Huang, Shane Moran, Ryan Schertrumpf, Irvin Richie, Georgia Farrow and Bill Beattie.

**MINUTES:**

The minutes of the Regular Meeting of June 28, 2021, were approved on a motion by Joseph Cyburt, seconded by Theresa D'Andrea, and approved by general acclaim of Council.

**TREASURER'S REPORT:**

The checking account balances as of June 30, 2021, totaled \$412,132.06 and the account balances as of July 31, 2021, totaled \$528,836.61.

The Treasurer's Report was approved on a motion by Harold Farrow, seconded by Joseph Thomas and by roll call vote:

Harold Farrow	Yes	Joseph Cyburt	Yes
Joseph Thomas	Yes	Theresa D'Andrea	Yes
Jeffery Miller	Yes	Paul Hadzick	Yes

**APPROVAL OF BILLS:**

The Manager provided a listing of the bills paid on July 8, July 15, July 22, July 29, August 5, August 12, August 19, and those to be paid on August 26, 2021, in the amount of \$295,413.12 and they were approved for payment on a motion by Joseph Thomas, seconded by Joseph Cyburt and on a roll call vote:

Joseph Thomas	Yes	Joseph Cyburt	Yes
Jeffery Miller	Yes	Harold Farrow	Yes
Theresa D'Andrea	Yes	Paul Hadzick	Yes

**OTHER ITEMS OF CONCERN:**

**Ambulance Utilities**

Councilman Farrow asked if the Borough receives any revenue for the utilities at the ambulance building. Mr. Pudliner said no, a letter was sent to the ambulance treasurer.

## **BUSINESS:**

### **1. Open Bids for Sale of 10 Wilbur Street Building.**

Two sealed offers were received and they were as follows:

1. Weatherly Area Community Museum at the Trainworks submitted an interest in leasing the Train Station in the event that Council does not accept any of the proposed bids.
2. Daniel Huang bid \$125,000.00

A motion to accept Daniel Huang's bid of \$125,000.00 for the purchase of 10 Wilbur Street was made by Joseph Thomas, seconded by Joseph Cyburt and approved on a roll call vote:

Jeffery Miller	Yes	Joseph Cyburt	Yes
Harold Farrow	Yes	Theresa D'Andrea	Yes
Joseph Thomas	Yes	Paul Hadzick	Yes

### **2. Discussion on the location for the cell tower at the park.**

Mr. Pudliner informed Council that he received a phone call from the representative of the company for the cell tower that is to be put in the park. There seems to be a problem with the location because of the deed restrictions for Eurana Park. The attorneys for the cell tower are concerned about the tower meeting the deed restrictions and asked if they could move it to a location nearby on the property owned by the borough but not in the Eurana Park deed. They would be interested in the area of the baseball field, which is a different parcel than Eurana Park. Mr. Pudliner added that a formal team has not played on the field in 4 years. Softball teams have occasionally played there this year.

Solicitor Nanovic stated that they are negotiating for 6 months, the land is to be used for recreational purposes and he feels it is okay for in the park, so the site location changed. Mr. Farrow questioned the base size and height of the tower and Mr. Pudliner said the base would be 50 x 50 feet and the height would be 150 feet. Mr. Cyburt asked if the Borough would have any liability and Solicitor Nanovic said the lease states their responsibility and they will have insurance. Mr. Thomas asked if there would be branches placed on the tower to disguise it. Mr. Pudliner said no. He also said that he did not have tower specs, that is up to the tower company. The company the Borough is working with just looks for the location. Harold Farrow asked if the Borough would receive revenue from one company and Mr. Nanovic stated it could be several companies.

A motion to change the location of the cell tower was made by Joseph Thomas, seconded by Joseph Cyburt and approved on a roll call vote:

Jeffery Miller	Yes	Theresa D'Andrea	Yes
Harold Farrow	Yes	Joseph Thomas	Yes
Joseph Cyburt	Yes	Paul Hadzick	Yes

### **3. Approve Packer Township Fire Agreement.**

Mr. Pudliner explained that the Packer Township Supervisors had signed the document but Council had not officially approved it.

A motion to approve the Packer Township Fire Agreement was made by Joseph Cyburt, seconded by Harold Farrow and approved on a roll call vote:

Joseph Cyburt	Yes	Harold Farrow	Yes
Theresa D'Andrea	Yes	Joseph Thomas	Yes
Jeffery Miller	Yes	Paul Hadzick	Yes

**4. Discussion on the Removal of the Trees and Shrubs in the Hazle Creek.**

Mr. Pudliner said he spoke to DEP in regards to cutting the trees and shrubs in the Hazle Creek. There is no problem with cutting them however they cannot be pulled out as to disturb the creek bed. Based on that he contacted three companies to remove the trees. The Borough crew did this in the past but it would tie them up for too long and they have work to get done on their own. This project did not have to be formally advertised as it is under the advertising limit.

**The three bids received were:**

Buck Mountain Landscape Supply	\$13,000.00
All Reliable Services, Inc.	\$16,542.78
Millers Lawn & Landscaping Solutions LLC	\$14,500.00

A motion to approve the removal of the trees and shrubs in the Hazle Creek was made by Joseph Thomas, seconded by Theresa D'Andrea and approved on a roll call vote:

Theresa D'Andrea	Yes	Harold Farrow	Yes
Joseph Thomas	Yes	Jeffery Miller	Yes
Joseph Cyburt	Yes	Paul Hadzick	Yes

A motion to accept the low bid from Buck Mountain Landscape Supply in the amount of \$13,000.00 was made by Joseph Cyburt, seconded by Jeffery Miller and approved on a roll call vote:

Joseph Cyburt	Yes	Jeffery Miller	Yes
Harold Farrow	Yes	Joseph Thomas	Yes
Theresa D'Andrea	Yes	Paul Hadzick	Yes

**5. Noise Ordinance has been Advertised and Ready for Vote.**

Mr. Pudliner informed Council that the noise ordinance had been published and is not ready for final approval vote.

A motion to approve the Noise Ordinance as advertised was made by Joseph Thomas, seconded by Jeffery Miller and approved on a roll call vote:

Harold Farrow	Yes	Joseph Thomas	Yes
Theresa D'Andrea	Yes	Joseph Cyburt	Yes
Jeffery Miller	Yes	Paul Hadzick	Yes

**6. Establishing Police Department Ordinance has been Published and Ready to Vote.**

Mr. Pudliner said that the Police Department Ordinance had been published and is now ready for final vote.

A motion to approve the Police Department Ordinance as advertised was made by Joseph Cyburt, seconded by Theresa D'Andrea and approved on a roll call vote:

Joseph Thomas	Yes	Jeffery Miller	Yes
Harold Farrow	Yes	Joseph Cyburt	Yes
Theresa D'Andrea	Yes	Paul Hadzick	Yes

**7. Burn Ordinance is Open for Discussion.**

Mr. Pudliner provided Council with a copy of the proposed Burn Ordinance. Harold Farrow felt that people should be able to burn in a burn barrel on Saturdays. Mr. Nanovic stated that fire pits can only be used from 8am to Midnight but no burning papers or garbage. Joseph Cyburt felt there was no need to burn at all. Harold Farrow rescinded his comment about burning on Saturdays.

A motion to advertise the Burn Ordinance before the next meeting was made by Joseph Thomas, seconded by Theresa D'Andrea and approved by roll call vote:

Jeffery Miller	Yes	Joseph Thomas	Yes
Theresa D'Andrea	Yes	Harold Farrow	Yes
Joseph Cyburt	Yes	Paul Hadzick	Yes

**8. Request for Portion of Paper Alley.**

Mr. & Mrs. Mark Hoffman have requested the portion of the paper alley that runs between East Second Street and Third Street that adjoins their property. Mrs. Sheryl Meier has also made the same request for the portion of the paper alley that abuts her property. Mr. Pudliner explained that this was the same as they did for Theresa D'Andrea and James Danenhower.

A motion to move forward to vacate the alley was made by Joseph Cyburt, seconded by Jeffery Miller and approved by general acclaim of Council.

**9. Resolution for Applying for Local Share Grant.**

Mr. Pudliner stated that he has not applied for this grant in a number of years and he thought we would give it a chance for a police car, plate reader and the updated camera system for the car that we need. He added that we only have one new vehicle which we purchased in 2020, and they are waiting for the two older ones to breakdown and they will be gone. Mr. Pudliner stated that he has a better chance of getting a grant of this size as opposed to asking for something like painting the tank. There is only a small pool of money available on this grant, it doesn't go far when all of the county is asking. He felt it was worth a try. A new Dodge SUV police car would cost \$76,706.16.

A motion to approve the resolution for applying for the Local Share Grant was made by Joseph Thomas, seconded by Joseph Cyburt and approved on a roll call vote:

Joseph Cyburt	Yes	Theresa D'Andrea	Yes
Harold Farrow	Yes	Joseph Thomas	Yes
Jeffery Miller	Yes	Paul Hadzick	Yes

**10. Approve MMO for Police and Non-Uniform Pension for 2022.**

Mr. Pudliner informed Council that the MMOs need to be approved before September 30<sup>th</sup>.

Police Pension MMO: \$32,946      Non-Uniform Pension MMO: \$43,368

A motion to approve the MMO for the Police and Non-Uniform Pension for 2022 was made by Joseph Cyburt, seconded by Theresa D'Andrea and approved on a roll call vote:

Theresa D'Andrea	Yes	Harold Farrow	Yes
Joseph Thomas	Yes	Jeffery Miller	Yes
Joseph Cyburt	Yes	Paul Hadzick	Yes

## **OTHER ITEMS OF CONCERN**

### **911 Remembrance**

Georgia Farrow extended an invitation to the 911 Remembrance ceremony the Legion will be holding. She said that Shane Moran received a piece of metal on loan for one year and Weatherly was the only school district in Pennsylvania that has received one. She thanked the Borough for their support and also asked for permission to use the Borough parking lot for the event.

### **Councilman Harold Farrows Concerns**

He would like an ordinance adopted to stop tractor trailer trucks from parking in the Eurana Park parking lot. Chief Markovchick said there was no legal means to prevent parking in the parking lot.

He would like a 15-minute parking sign in front of Lisa's Dog Grooming for parking.

Waterfall Park – He would like to have the park professionally trimmed. Mr. Pudliner said it needs a good cleaning out.

Delinquent List – He stated that Council has not received a delinquent list in quite some time and would like one given to Council. Joseph Cyburt agreed, but Mayor Hadzick disagreed. Mayor Hadzick said that utility shut-offs are done to collect the delinquent accounts and did not see any benefit to Council getting the list. Joseph Cyburt stated that he spoke to someone with a \$4,000 delinquent account.

## **EXECUTIVE SESSION**

Council entered into executive session for personnel matters from 4:55 pm to 5:06 pm.

### **ADJOURN:**

A motion to adjourn the meeting at 5:06 pm was made by Joseph Cyburt, seconded by Harold Farrow.